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**Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/818,245 03/14/97 OGINO

H B208-629 CON

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WM31/0418

EXAMINER
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BELLA, M	
ART UNIT	PAPER NUMBER

2621

DATE MAILED:

04/18/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

00/018,245

Applicant(s)

Ogino et al.

Examiner

Mark Zelle

Group Art Unit

2621

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on Jan. 29, 2001
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 3-4, 7, 51-72 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 3-4, 7 is/are allowed.
- ☒ Claim(s) 51-72 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

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## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to the new claims 51-72 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371<sup>©</sup> of this title before the invention thereof by the applicant for patent.

3. Claims 51-57 and 61-68 are rejected under 35 U.S.C. 102(e) as being anticipated by Saito (5,153,729).

As to claim 51 representative of claim 62, Saito teaches a digital electronic still camera for transferring color images to a detachable memory cartridge (col. 1, lines 10-15 and col. 2, lines 45-64), comprising:

an image sensor for generating a color image signal (col. 2, lines 50-64);

a built-in memory for storing control data for processing the color image signal (fig. 1, controller 40 contains internal storage, see col. 5, lines 60-63);

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a detecting device for detecting an attachment of said external memory to the image pickup apparatus (col. 4, lines 56-66);

a control device 40 that transfers control data stored in the control device to the attached memory cartridge, when the attachment of the external memory is detected by the detecting device (col. 3, lines 38-56, col. 4, lines 53-66, and col. 5, lines 31-44).

As to claims 52 and 63, Saito teaches the control device transfers the control data stored in the external memory to the memory in the controller (col. 3, lines 56-66 and col. 5, lines 55-63).

As to claims 53 and 64, Saito teaches control device is operated manually when the attachment of the external memory is detected (col. 4, lines 52-66, operator depresses shutter release button).

As to claims 54 and 65, Saito teaches the control device transfers time information, at the time when the control data is generated, together with the control data to the external memory (col. 4, lines 37-44).

As to claims 55 and 66, Saito teaches transferring image data, memory address and write and read instructions to the external memory (col. 3, lines 38-56).

As to claims 56 and 67, Saito teaches performing white balance control (col. 3, lines 22-36, the Examiner suggest clarifying how the white balance control is being used with the detachable memory).

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As to claims 57 and 68, Saito teaches transferring image data, memory address and write and read instructions to the external memory (col. 3, lines 38-56), the image data includes preprocessed white balance control.

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 58-61 and 69-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (5,283,632) in view of Saito (5,153,729).

As to claim 58 representative of claim 69, Suzuki teaches a white balance adjusting circuit, comprising:

a detecting device (fig. 4) for detecting a standard image on the basis of control data (i.e., designated data) recorded on the frame memory (i.e., recording medium) (col. 4, lines 55-63, a memory storing white balance control voltages);

obtaining means for processing the standard image data detected by the detecting means to obtain a control value for white balance (col. 4, lines 40-49);

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a control device for white control by using the obtained control value when the image data is processed (fig. 4, elements 11 and 14).

(The examiner suggest clarifying within the body of the claim, how the control data controls the detecting device for white balance in relation with the detachable memory. Also, the examiner suggests clarifying the preamble.)

Suzuki does not disclose using a detachable memory. Saito teaches a digital electronic still camera with a detachable memory cartridge (col. 1, lines 10-15 and col. 2, lines 45-64). The detachable memory transfers control data stored in an external memory to the memory of a controller (col. 3, lines 56-66 and col. 5, lines 55-63). Saito uses a memory card to increase storage capacity. It would have been obvious to one of ordinary skill in the art for Suzuki to use a detachable memory to increase the storage capacity. As to claims 61 and 72, Suzuki teaches using a control device for white control (fig. 4, elements 11 and 14). The control device designates whether or not the image data recorded is used as a white balance control.

As to claim 59-60 and 70-71, Suzuki does not disclose displaying a standard image or a white balanced image. To display a standard image or a corrected white balanced image is well known in the art in order review the image being processed (Official Notice). It would have been obvious to one of ordinary skill in the art to use a display because displays are well known in the art to review an image. (The examiner suggest clarifying claims 59-60 and 70-71 to read more clearly on figure 11 embodiment. Currently, claims 59 and 70 only display a standard image and claims 60 and 71 only display a white balance corrected image.)

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*Allowable Subject Matter*

6. Claims 7, 3, and 4 are allowable over the prior art of record.
7. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

Control information is copied from second memory means to the first memory means when the second memory means is removed from the apparatus. When third memory means is attached to the apparatus, control information copied from second memory means to first memory means is copied from first memory means to third memory means, in combination with other limitations of claim is not shown or suggested by the prior art.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Bella, whose telephone number is (703) 308-6829. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays. The fax number for this Group is (703) 306-5406.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

MCB

April 17, 2001

Matthew C. Bella  
Primary Examiner

A handwritten signature in black ink, appearing to read "Matthew C. Bella", written in a cursive style.